

House File 2455

H-8222

1 Amend the amendment, H-8212, to House File 2455 as
2 follows:

3 1. Page 1, by striking lines 2 through 15 and
4 inserting:

5 <1. Page 17, after line 10 by inserting:

6 <DIVISION ____

7 KEEP IOWA BEAUTIFUL

8 Sec. ____ . KEEP IOWA BEAUTIFUL INITIATIVE. The
9 director of the economic development authority created
10 in section 15.105 shall allocate moneys in one or more
11 funds established in section 15.106A, subsection 1,
12 paragraph "o", in an amount equal to \$200,000 for the
13 fiscal year beginning July 1, 2016, and ending June
14 30, 2017, for the purpose of supporting a keep Iowa
15 beautiful initiative in order to assist communities
16 in developing and implementing beautification and
17 community development plans.

18 DIVISION ____

19 MISCELLANEOUS PROVISIONS — SERVICE CONTRACT RECIPIENTS

20 Sec. ____ . Section 8F.3, subsection 1, paragraphs b
21 and d, Code 2016, are amended to read as follows:

22 b. Information regarding the training and education
23 received by the members of the governing body of
24 the recipient entity relating to the duties and
25 legal responsibilities of the governing body. The
26 information shall also include certification that
27 the members of the governing body have completed a
28 training program established pursuant to section 19B.7,
29 subsection 3.

30 d. Information regarding any policies adopted
31 by the governing body of the recipient entity that
32 prohibit taking adverse employment action against
33 employees of the recipient entity who disclose
34 information about a service contract, to include
35 information about the pay and benefits received by

1 an employee of a recipient entity, to the oversight
2 agency, the auditor of state, the office of the
3 attorney general, or the office of ombudsman and
4 that state whether those policies are substantially
5 similar to the protection provided to state employees
6 under [section 70A.28](#). The information provided shall
7 state whether employees of the recipient entity are
8 informed on a regular basis of their rights to disclose
9 information to the oversight agency, the office of
10 ombudsman, the auditor of state, or the office of the
11 attorney general and the telephone numbers of those
12 organizations.

13 Sec. _____. Section 19B.7, Code 2016, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 3. The department of
16 administrative services, in coordination with
17 the Iowa civil rights commission, shall establish a
18 training program for prospective recipient entities, as
19 defined in section 8F.2, concerning the requirements
20 of this section, and chapter 216, relative to the
21 administration and promotion of equal opportunity and
22 the prohibition of discriminatory and unfair practices
23 within any program receiving or benefiting from state
24 financial assistance. The program shall specifically
25 include guidance relative to unfair employment
26 practices as described in section 216.6, and wage
27 discrimination in employment prohibitions as described
28 in section 216.6A.

29 DIVISION ____

30 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION IN
31 EMPLOYMENT

32 Sec. _____. Section 216.6A, Code 2016, is amended by
33 adding the following new subsection:

34 NEW SUBSECTION. 2A. It shall be an unfair or
35 discriminatory practice for any employer or agent of

1 any employer to do any of the following:

2 *a.* Require, as a condition of employment, that
3 an employee refrain from disclosing, discussing,
4 or sharing information about the amount of the
5 employee's wages, benefits, or other compensation or
6 from inquiring, discussing, or sharing information
7 about any other employee's wages, benefits, or other
8 compensation.

9 *b.* Require, as a condition of employment, that an
10 employee sign a waiver or other document that requires
11 an employee to refrain from engaging in any of the
12 activities permitted under paragraph "a".

13 *c.* Discriminate or retaliate against an employee
14 for engaging in any of the activities permitted under
15 paragraph "a".

16 *d.* Seek salary history information, including
17 but not limited to information on compensation and
18 benefits, from a potential employee as a condition of a
19 job interview or employment. This paragraph shall not
20 be construed to prohibit a prospective employer from
21 asking a prospective employee what salary level the
22 prospective employee would require in order to accept
23 a job.

24 *e.* Release the salary history, including but
25 not limited to information on compensation and
26 benefits, of any current or former employee to any
27 prospective employer in response to a request as part
28 of an interview or hiring process without written
29 authorization from such current or former employee.

30 *f.* Publish, list, or post within the employer's
31 organization, with any employment agency, job-listing
32 service, or internet site, or in any other public
33 manner, an advertisement to recruit candidates for hire
34 or independent contractors to fill a position within
35 the employer's organization without including the

1 minimum rate of pay of the position. The rate of pay
2 may be by the hour, shift, day, week, salary, piece,
3 commission, or other applicable rate. The rate of pay
4 shall include overtime and allowances, if any, claimed
5 as part of the minimum wage, including but not limited
6 to tipped wages.

7 g. Pay a newly hired employee at less than the
8 rate of pay advertised for the employee's position as
9 required under paragraph "f".

10 DIVISION ____

11 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION —

12 EQUAL PAY TASK FORCE AND REPORT

13 Sec. ____ . EQUAL PAY TASK FORCE AND REPORT.

14 1. An equal pay task force is created. The task
15 force shall consist of the following members:

16 a. The director of the civil rights commission, or
17 the director's designee.

18 b. The director of the department of human rights,
19 or the director's designee.

20 c. An employee of the labor market information
21 division of the department of workforce development
22 designated by the director of the department.

23 d. A representative of the association of business
24 and industry, appointed by the president of the
25 association.

26 e. A member of a statewide labor organization
27 designated by the legislative council, appointed by the
28 president of the organization.

29 f. Two representatives of organizations whose
30 objectives include the elimination of pay disparities
31 between men and women and minorities and nonminorities
32 and that have undertaken advocacy, educational, or
33 legislative initiatives in pursuit of such objectives
34 appointed by the director of the civil rights
35 commission in consultation with the leadership of those

1 organizations.

2 g. Two representatives of postsecondary education
3 institutions who have experience and expertise in
4 the collection and analysis of data concerning pay
5 disparities between men and women and minorities and
6 nonminorities and whose research has been used in
7 efforts to promote the elimination of such disparities
8 appointed by the director of the civil rights
9 commission in consultation with the leadership of those
10 institutions.

11 h. Four members of the general assembly serving
12 as ex officio, nonvoting members, one representative
13 to be appointed by the speaker of the house of
14 representatives, one representative to be appointed by
15 the minority leader of the house of representatives,
16 one senator to be appointed by the majority leader of
17 the senate, and one senator to be appointed by the
18 minority leader of the senate.

19 2. The task force shall study all of the following:

20 a. The extent of wage disparities, both in the
21 public and private sectors, between men and women and
22 between minorities and nonminorities.

23 b. Factors that cause, or which tend to cause, such
24 disparities, including segregation between women and
25 men and between minorities and nonminorities across
26 and within occupations, payment of lower wages for
27 work in female-dominated occupations, child-rearing
28 responsibilities, the number of women who are heads of
29 households, education, hours worked, and years on the
30 job.

31 c. The consequences of such disparities on the
32 economy and affected families.

33 d. Actions likely to lead to the elimination and
34 prevention of such disparities.

35 3. The civil rights commission shall provide

1 staffing services for the task force.

2 4. The voting members shall elect a chairperson
3 from the voting membership of the task force. A
4 majority of the voting members of the task force
5 constitutes a quorum.

6 5. Voting members of the task force shall receive
7 reimbursement for actual expenses incurred while
8 serving in their official capacity only if they are not
9 eligible for reimbursement by the organization that
10 they represent. Legislative members shall be paid the
11 per diem and expenses specified in section 2.10.

12 6. The task force shall submit a report regarding
13 its findings and its recommendations regarding
14 potential actions for the elimination and prevention
15 of disparities in wages between men and women and
16 minorities and nonminorities to the governor and the
17 general assembly no later than December 22, 2017.>

18 2. By renumbering as necessary.>

FINKENAUER of Dubuque